A PROTESTATION

Of the

Moſt High and Mighty

PRINCE

CHARLES LODOWICKE,

Count Palatine of the Rhine,

Archidapifer, and Prince Elector of the ſacred Empire, Duke of Bavaria, &c.

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THE PROTESTATION

Is againſt

All the unlawfull, and violent proceedings and actions, intended and practiſed to his Highneſſe, his Brethren, and neare Kindreds prejudice.

Particularly, againſt

The ſecret, and invalide diſpoſitions and decrees of the Emperour, in the tranſlation of the Electorall dignity and dominions, upon the Duke of Bavaria, &c.

Secondly,

The unlawfull, and vaine Election of a King of the Romans, where his Highneſſe and the Electour of Triers were excluded.

Laſtly,

The violent and unjuſt uſurpation and poſſeſſion of the Electorall Dignity, Title, Voice, and Seſſion, by the Duke of Bavaria.

A Proteſtation, eſpecially being cleare and well expreſſed, conſerveth the right of him that maketh it. And though ſuch proteſtation be neceſſary, yet doth it no wrong, or injury to any one. *Leg. ſi debitor. 4. §. 1. D. Quibus modis pignus. & ibi Bartol. & ſi quis, 14 §. Sed interdum 7. D. de Religioſo. & ſumptibus.*

Sampſon, when the Philiſtins tooke his wife from him, and gave her to another, maketh this Proteſtation againſt them.

Iudges cap. 15. verſ. 3.

Now ſhall I be more blameleſſe than the Philiſtins, though I doe them a diſpleaſure.

Charles Lodowicke,

By the grace of God,

Count Palatine of the Rhine,

Archidapifer, and Prince Elector

of the ſacred Empire, Duke

of Bavaria, &c.

To all, and every one, that ſhall ſee or reade theſe our Letters Patents, Greeting.

IT is well knowne and manifeſt, not onely in the Roman Empire, and Germany our

deare Country, but alſo in all Chriſtendome, by the experience of thoſe violent actions and ſad effects of warre, which even unto this day are to bee ſeene, and by divers writings and publique monuments ſet forth every where, what manner of proceeding was uſed, all the while theſe heauy troubles, and civill warres of Germanie laſted, in the occupation, ſurreption, diviſion, diſmembring,

bring, ſale, grant, and tranſlation of Our now waſted Dominions and Territories; as well as of Our Electorall Dignity, Archidapiferſhip, Voice, Royalties, and other Rights thereunto immediately and inſeparably belonging.

Which proceedings and violences being altogether unjuſt, intolerable, contrary to all right and juſtice, and conſequently

quently a nullity, invalide, and without power and force: We have juſt cauſe to be ſenſible of them, and to this end to publiſh Our complaints, exceptions and proteſtations againſt them, according as neceſsity and juſtice doth require.

Eſpecially, that which grieveth & moſt ſenſibly afflicteth Vs, as tending to the greateſt prejudice of Our owne, Our Brethren,

Brethren and neere Kindreds Perſons and Rights, is that not without great diſlike and ſorrow We doe heare and underſtand.

Firſt of all, how that in the laſt pretended treaty of peace at Prague, without Our knowledge, in the time of Our minority, not being there, nor ſent for, nor heard, amongſt the reſt was concluded and agreed

upon, that those disposicions and pactions should bee and remaine firme, stable and valide, which heretofore were made and granted by his Imperiall Majesty, to the Duke of Bavaria, and the Wilhelmian Line and Posterity, in regard of Our Electorall Dominions and Dignities, and withall, that the said invalide disposicions, having beene patched & compiled together

in

in private and ſecretly, hither-
to unknowne to the world, and
as yet not publiſhed in their
true force and phraſe, never-
theleſſe were alledged againſt
Us, under the pretence, as if
they had beene allowed and
confirmed in the ſayd treaty
of peace, and conſequently re-
ceived by a generall approba-
tion of all the ſtates of the Sa-
cred Empire, as it doth mani-
feſtly appeare in the laſt anſwer

given by the Emperour to the Earle of Arundel, the Kings Majesty of Great Brittaine His Ambassadour at Ratisbone.

By vertue of which dispositions, Our Right, Iurisdictions and Possessions, belonging and appertaining unto Vs, Our Brethren, and neare Kindred, *ex primævâ & simultaneâ Investiturâ ex pacto & providentiâ majorum*, were ravished and violently

lently taken from Vs, and transferred from Our Houſe to a remote and farre diſtant Line and Deſcent, againſt all right, lawes, conſtitutions of the Empire, cuſtomes obſerved in Fiefs of ſuch importance and quality; nay, even againſt the Golden Bull it ſelfe, and other pactions and Imperiall priviledges, from many ages conferred and confirmed up-

on Our Electorall Houſe.

Secondly, it much grieveth Vs, that at the laſt meeting of the Electours at Ratisbone, where the election of a King of the Romans was propounded and treated, and the King of Hungary, *Ferdinando* of Auſtria, choſen and crowned, We were not with the reſt of Our Co-electors, by vertue of the Golden Bull, called and

invited

invited, notwithstanding that VVe onely represent and beare the Right, Voice, Office, and Person of the Elector Palatine, but VVe were purposely, though iniustly, past by and excluded, and the Duke of Bavaria suffered *de facto* and really to usurpe, and to beare our Title, Place, Session, Office and Voice, against all Law and Iustice.

All

All theſe things generally, and every one in particular being nothing, and altogether invalide, uniuſt, and violent, to paſſe by many other nullities, VVe doe eſteeme and account the Diſpoſitions aboveſaid, and the pretended concluſion of peace of no force and power, upon this ground, becauſe they were continued, framed and agreed upon, in the time of Our, and Our Brethrens

Brethrens minority; when We were abſent and in foraine Countries, having beene neither called nor heard, much leſſe accuſed and convicted; beſides, that in themſelves they are contrary to all Divine and humane lawes, the fundamentall Conſtitutions of the Sacred Empire, the ordinary cuſtomes of Fiefs of ſuch quality, and the manifold declarations, which His Im-

periall Majeſty hath made and given under his owne hand with full aſſurance, to all the Electours, that then were preſent, the 23. of February, *anno* 1623. and to the King of Great Brittaine, Our honoured Grandfather of moſt bleſſed memory, few daies after, *viz.* the 5. of March in the ſame yeare.

And withall the nullity of this pre-

pretended Election appeareth, in that We were with the Electour of Triers unjustly and violently excluded and kept out from it, though unto Us onely it belongeth by Nature, Divine and humane lawes, to beare the Name, Title, Voice, Office, and Function of the Electour Palatine, in all Imperiall Diets, Electorall meetings, and generally in all solemne actions of the Empire.

Theſe inevitable neceſsities obliged Vs, to publiſh Our exceptions and proteſtations in a ſolemne and legall manner, for the maintaining of Our unqueſtionable and undoubted Right, Iuriſdiction, Princely deſcent, State, and Name, againſt all ſuch and the like violent proceedings, intended, determined and practiſed, to the prejudice and diſgrace of Vs, Our Brethren

and

and neere Kindred, who were never ſo much as called or heard in Our owne cauſe.

We doe therefore by vertue of theſe Letters Patents, with good adviſe and knowledge, in the beſt forme and wiſe, according to Law and Cuſtome, plainely and fully proteſt againſt, and contradict all, both in generall and particular, whatſoever hath been contrived, acted, granted,

promiſed, pronounced, judged, publiſhed, diſpoſed, practiſed and agreed upon, publikely or privately, with deliberation and purpoſe, or any other way, to the prejudice, detriment and damage of Us, Our Brethren, and neare Kindred, or whatſoever ſhall or may be in time to come, ordained, judged, decreed, practiſed and acted, againſt Us, *de facto* and really, without Our knowledge,

ledge, conſent and approbation.

Particularly, we doe proteſt againſt thoſe vaine, impertinent, and moſt dangerous diſpoſitions, and concluſions of peace at Prague, againſt the haſty, precipitate and unlawfull election of a King of the Romans, and above all, againſt the violent, unjuſt and hainous uſurpation, detention, and privation

vation made and continued by the Duke of Bavaria, in keeping backe, raviſhing and detaining from Vs, as much as lyeth in his power, by his uſurpation *de facto*, Our Electourſhip, Dominions, Subjects, Royalties, Fiefs, Office, Title, Voice and Seſsion.

Reſerving withall for Us, Our Brethren, neere Kindred, and all thoſe that have any intereſt

tereſt in it, to uſe all ſuch law-full and conducible meanes, actions, defences and remedies, as are allowed in ſuch caſes, by Divine and humane lawes, to all, that are thus oppreſſed, and ſuffer ſuch wrongs and injuries, with this expreſſe declaration and Proteſtation, that whereas We Our ſelves, and others for Vs have hitherto tryed and ſought, as much as was poſſible, to come by faire

meanes to the quiet repoſſeſſion of what belongeth unto Vs, by Nature, and Lawes Divine and humane, upon honeſt and tolerable conditions, We deſire to be cleare and blameleſſe before Almighty God, the whole world, and all poſterity, of whatſoever may befall any one in the proſecution and maintaining of Our juſt and lawfull cauſe, for the obtaining of Our reſtitution.

We

We doe likewiſe in the end, profeſſe and proteſt before God, who knoweth the hearts of man, that We doe not intend by this our forced lawfull Proteſtation, to derogate any thing from the Highneſſe and preheminency of his Imperiall Majeſty, whom We are willing and ready to honour and revere with moſt humble and conſtant devotion, Or to diminiſh and offend the Rights,

Honours, and Iuriſdictions of any State ſoever, having no other intent and ſcope, but more and more by theſe lawfull meanes to maintaine, confirme, and publikely to manifeſt Our innocency, juſt cauſe, unqueſtionable Right, Hereditary Dignities, and lawfull poſſeſsions, leaſt by Our ſilence and forbearance of this neceſſary and juſt Proteſtation, they ſhould be neglected, endan-

endangered, or prejudiced,

And to the end, that this Our Proteſtation, drawne in the preſence of a Notary and witneſſes, might come to the publike knowledge and view of the world, and all frivolous exceptions and pretences of ignorance be cut off from thoſe whom it may concerne, We have cauſed it publikely to be ſet forth and printed, and have already

already ſent ſome authenticke copies of it to his Imperiall Majeſty, and the Princes Electours, under Our owne hand and Seale.

Given at Hampton-court, the 27. of Fannary, anno 1637.

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